



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

LCC:ddj

Docket No: 1975-00

16 May 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 May 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMPR-2 of 12 April 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1400/3
MMPR-2
12 Apr 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]

Ref: (a) CMC MM MARADMIN 171/98 (DTG 200541Z Dec 98)
(b) CMC MM MARADMIN 027/99 (DTG 210541Z Jan 99)
(c) CMC MM MARADMIN 069/99 (DTG 170544Z Feb 99)
(d) CMC MM MARADMIN 168/99 (DTG 200541Z Apr 99)
(e) CMC MM MARADMIN 128/99 (DTG 200541Z May 99)

1. Corporal Labrosse is requesting to have his date of rank as a corporal changed to 1 January 1999. His current date of rank is 1 May 1999.

2. We reviewed [REDACTED] current information in the Marine Corps Total Force System (MCTFS). [REDACTED] met the eight months time in grade and the nine months time in service requirements for promotion to corporal prior to 1 May 1999. However, he failed to make the required cutting score in order to receive a select grade in the MCTFS until 1 May 1999. References (a) through (d) apply. Per reference (e), [REDACTED] met the required cutting score for promotion to corporal for 1 May 1999. He was properly promoted to corporal and began receiving his appropriate pay and allowances.

3. Since [REDACTED] service record has not been changed, we recommend that part of his petition pertaining to a change in his date of rank be denied.

A. J. VAN STEENBERGEN
Head, Enlisted Promotions
Promotion Branch
By direction of
The Commandant of the Marine Corps